



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 21 2007

OFFICE OF
CIVIL RIGHTS

RETURN RECEIPT REQUESTED

Certified Mail# 7004-2510-0004-2241-8521

IN REPLY REFER TO:

EPA File No. 04R-06-R4



RE: REJECTION OF ADMINISTRATIVE COMPLAINT

Dear 

This letter is in response to your administrative complaint filed with the U.S. Environmental Protection Agency (EPA) Office of Civil Rights (OCR). Your complaint was received by EPA on March 28, 2006. The complaint concerns alleged exposure to radiation and environmental racism.

OCR is responsible for processing and investigating complaints of discrimination filed against programs or activities that receive financial assistance from EPA. Pursuant to EPA's nondiscrimination regulations, OCR conducts a preliminary review of discrimination complaints to determine acceptance, rejection, or referral. 40 C.F.R. § 7.120(d)(1). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in EPA's Part 7 regulations. First, it must be in writing. Second, it must describe an alleged discriminatory act that, if true, would violate EPA's nondiscrimination regulations (*i.e.*, an alleged discriminatory act based on race, color, national origin, sex, or disability). Third, it must be filed within 180 days of the alleged discriminatory act. Finally, the complaint must be filed against an applicant for, or recipient of, EPA assistance that allegedly committed the discriminatory act. (A copy of EPA's nondiscrimination regulations is enclosed for your convenience.)

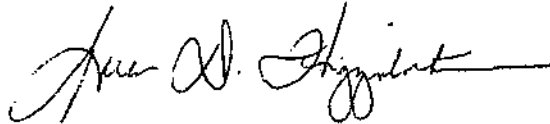
After careful consideration, OCR has concluded that it cannot accept the complaint for investigation because it does not meet the jurisdictional requirements described in EPA's nondiscrimination regulations. Therefore OCR must reject your complaint.

Your complaint alleges exposure to radiation and environmental racism. On August 07, 2007, OCR provided you with a letter requesting clarification of the date when the alleged radiation exposure occurred, as well as the specific dates of any alleged

acts of "environmental racism." OCR also requested a description of the alleged discrimination acts and the bases of your complaint (*i.e.* discriminatory act based on race, color, national origin, sex, disability, age). Finally, OCR requested that you identify the government agency against which you are making your complaint. OCR's letter asked you to supply the information within 20 days of receipt of OCR's request. Over ninety days have elapsed since the request for information was sent to you, yet OCR has not received the necessary information. Since your allegations do not meet the jurisdictional requirements in EPA's nondiscrimination regulations, the complaint cannot be accepted for investigation.

If you have questions regarding this letter, please contact Ericka Burwell of the OCR External Compliance Program at (202) 343-9224, via electronic mail at burwell.ericka@epa.gov, or by mail at U.S. EPA, Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue, NW, Washington, DC 20460-1000.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen D. Higginbotham", with a long horizontal flourish extending to the right.

Karen D. Higginbotham
Director

Enclosure

cc: Nancy Tommelleo, Title VI Coordinator
EPA Region 4

Stephen G. Pressman, Associate General Counsel
Civil Rights and Finance Law Office (MC 2399A)